



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

July 01, 2016

Matt Urban
NH Dept. of Transportation
PO Box 483
Concord, NH 03301

RE: NH Dept. of Transportation - File # 2016-01689 - Bow *40027*

Tax Map/Lot # Right-of-Way

Dear Mr. Urban:

Attached please find Wetlands Permit # 2016-01689 to temporarily impact 475 sq. ft. along Bow Brook for a temporary cofferdam to assess the existing twin 60-inch culverts for repair or replacement.

The decision to approve this application was based on the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), as it meets the criteria of a Tier 3 Stream in accordance with 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. This project is to collect data to assist in the design of the ultimate solution for this crossing.
5. Impacts associated with this project are all temporary, and the area will be restored upon completion of the assessment.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

Any person aggrieved by this decision may appeal to the N.H. Wetlands Council ("Council") by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

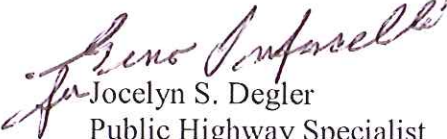
Telephone: (603) 271-3503 • Fax: (603) 271-6588 • TDD Access: Relay NH 1-800-735-2964

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the DES Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,


Jocelyn S. Degler
Public Highway Specialist
DES Wetlands Bureau

cc: Bow Conservation Commission
Bow Municipal Clerk
Tobey Reynolds, NHDOT
Michael Leach, Stantec Consulting Services, Inc.
Michele L. Tremblay, Upper Merrimack River Local Advisory Committee
Tracie J. Sales, DES Rivers Program, Watershed Management Bureau



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Thomas S. Burack, Commissioner

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WETLANDS AND NON-SITE SPECIFIC PERMIT 2016-01689

Permittee: NH Dept. of Transportation
PO Box 483
Concord, NH 03301

Project Location: I 89/93, Bow
Bow Tax Map/Lot No. Right-of-Way

Waterbody: Bow Brook

**NOTE--
CONDITIONS**

APPROVAL DATE: 06/30/2016 **EXPIRATION DATE:** 06/30/2021

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Temporarily impact 475 sq. ft. along Bow Brook for a temporary cofferdam to assess the existing twin 60-inch culverts for repair or replacement.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by NH Dept. of Transportation dated 11/21/2014, and cross sections by Stantec Consulting Services, Inc. dated June 2016 as received by the NH Department of Environmental Services (DES) on June 9, 2016 and June 28, 2016 respectively.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 ft. of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

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7. Area of temporary impact shall be regraded to original contours following completion of work.
8. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.
8. Areas from which vegetation has been cleared to gain access to the site shall be replanted with similar native species.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: _____

Jocelyn Degler
Jocelyn Degler
DES Wetlands Bureau

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BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

[Signature]
OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)